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GLAD

Gay & Lesbian Advocates & Defenders

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ATTORNEYS FROM GAY & LESBIAN ADVOCATES & DEFENDERS (GLAD) AND
LEADERS OF THE IRISH AMERICAN GAY, LESBIAN AND BISEXUAL GROUP OF
BOSTON (GLIB) RESPOND TO SUPREME COURT RULING

*John J. Hurley and South Boston Allied War Veterans Council v.
Irish-American Gay, Lesbian and Bisexual Group of Boston*

The Supreme Court today ruled that organizers of a private parade may exclude any message they wish, even if the group espousing the message is protected by anti-discrimination laws.

GLAD lawyer Mary Bonauto, the attorney on the case from its inception, described the ramifications of today's ruling saying, "Today's decision was not a broad pronouncement on the rights of gay and lesbian people in American society generally. In fact, the Court reaffirmed the basic principal that discrimination against gay, lesbian and bisexual people is wrong. Instead, today's ruling is limited to a disagreement about what constitutes discrimination in this very narrow and unique set of circumstances. We think the facts showed that this was not a private parade, but instead, a public accommodation governed by Massachusetts anti-discrimination laws."

"Nonetheless, we are saddened that the Court doesn't yet understand the dramatic level of discrimination against gay, lesbian and bisexual people or its consequences," added GLAD attorney Gretchen Van Ness.

"By ruling gay, lesbian or bisexual individuals could march, but not a group identifying as such, the Court is saying in effect you can't be gay, lesbian or bisexual and Irish at the same time. This reasoning is like saying individual African Americans can march but not the NAACP, or even that individual Irish American women could march but not behind a banner with the group's name on it," said John Ward, the GLAD attorney who argued the case before the Court.

Bonauto offered a historical context for interpreting the decision. "In time we feel that discrimination against gay, lesbian and bisexual people will be seen as an evil on par with any other form of discrimination that is based on unfounded stereotypes. We know the Supreme Court deciding our cases are important enough to review is a big step on the rocky road to full and equal participation in our society. In time people will look at this decision as unjust and wrong."

Cathleen Finn and David O'Connor, co-chairs of GLIB, stated, "Our experience has been one of direct, ongoing, hateful and damaging discrimination at the hands of the Veterans. We disagree with the Court's assertion that marching as individuals represents an exercise of our rights to identify as openly gay, lesbian and bisexual people."

GLAD is a New England wide non-profit law firm dedicated to vindicating and expanding the civil rights of lesbian, gay and bisexual people and the rights of people with HIV/AIDS.